IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

Crl.Rev.Pet.No. 4057 of 2007()

CRA.325/2004 of ADDL.SESSIONS COURT, PATHANAMTHITTA
ST.153/2003 of CHIEF JUDICIAL MAGISTRATE COURT,
PATHANAMTHITTA

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REVN. PETITIONER: APPELLANT/ACCUSED

THOMASKUTTY P.T., AGED 53 YEARS,
PROPRIETOR, TONY METAL WORKS, RESIDING AT
PERAKATHUSSERIL HOUSE, POOVANTHURUTHU P.O.,
KOTTAYAM.

BY ADV. SRI.ARUN.B.VARGHESE
SRI.LALU JOHN

RESPONDENTS: RESPONDENTS/COMPLAINANT

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1. P.M.PHILIPOSE,
MANAGING PARTNER, LOYAL BANKERS, MANARCADU,
RESIDING AT PULICKATHARAYIL HOUSE, CHERUKOLE,
RANNI TALUK, REPRESENTED BY POWER OF ATTORNEY
HOLDER K.R.SIVANKUTTY, S/O. RAMAKRISHNAN,
KANJIRATHUMPARAYIL, CHERUKOLE VILLAGE.

2. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.TERRY V.JAMES
PUBLIC PROSECUTOR SRI.C.M.NAZAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl. R.P. No. 4057 OF 2007

Dated this the 14th day of November, 2007

O R D E R

The revision petitioner, who was the accused in S.T.No.153/2003 on the file of the CJM, Pathanamthitta for an offence punishable under section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the trial court for the said offence.

2. Pending this revision, the parties have settled the matter and have filed Crl.M.A.No.11906/2007 under section 147 of the Act for recording the composition entered into by them. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. The composition is recorded and it will have the effect of an acquittal within the meaning of section 320(8) Cr.P.C. Money, if any, paid by the revision petitioner pursuant to orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This revision petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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